

#### REMARKS

In response to the office action dated January 4, 2005, in respect to the examiner's rejection under 35 USC 112 of claim 35, applicant has voluntarily withdrawn this claim 35 from the application to facilitate allowance of the application.

In respect to the rejection of claims 1-3, 6, 9-14, 16-21, and 24 under 35 USC 102(b) as being anticipated by Bigo Patent GB-2,123,502-A about admission in respect to the dependent claims, applicant has amended the pertinent independent claims 1, 9, and 16 to recite that the seals are directly between the piston and the housing to create a cavity therebetween through radially outward of the shaft. This recitation refers to, for example, the two seals 86, 87 which are located between the piston and the housing in order to retain the pressure within the activation cavity 88, thus to allow for the activation of the piston (see for example pg 20 lns 11-18). This in turn allows for the axial movement of the piston against the spring 105. In contrast, Bigo teaches of a fluid-type angular seal 23 directly between the rotating shaft 1 and the frame 2. This sealing increases the total cross section, subject to pressure and thus to produce either a greater brake release force than is previously possible or to bear the same brake release force at a lower pressure (pg 2 lns

110-129). To clarify this distinctiveness, applicant has modified the main independent claims 1, 9, 16, 25, and 32 to recite that there is a seal to "directly fluidically seal" the piston to the housing to create a cavity therebetween radially outward of the shaft. It is believed that this distinguishes the claims 1-32 from Bigo or a combination of Bigo with the secondary reference Naumann U.S. Patent 6,302,246.

In respect to the rejection of claims 33-34 based on Bigo in view of Naumann (believed further in view of Pringle U.S. Patent 4,805,744), applicant has modified claim 33 to recite that the rotary bearing provides for a limitless stop in respect to a moveable part. In the preferred embodiment disclosed, the outer ray 66 of the bearing 65 functions as a limit stop for the piston 80. This limit stop not only prevents the compression of the disk spring 105 beyond its designed limits, but also reduces the number of parts necessary for the device (pg 11 lns 9-20). It is believed that this distinguishes over Pringle which uses its bearings 20 for the mounting of rotatable portion 18 to the stationary portion 16 (col 3 lns 23-28). Claim 34 hones in on this same improvement reciting that the "interrace of the bearing" is coextensive with the shaft (again something not present in Pringle which uses separate bearing races on both its inner and outer surfaces).

Based on the above, applicant believes that claim 33 and 34 are also allowable over the art of record.

In that the above is believed to place the application into condition for allowance, favorable action is solicited.

Respectfully submitted,

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